

CAROLYN HOECKER LUEDTKE (State Bar No. 207976)
Carolyn.Luedtke@mto.com
JUSTIN P. RAPHAEL (State Bar No. 292380)
Justin.Raphael@mto.com
MEGAN MCCREADIE (State Bar No. 330704)
Megan.McCreadie@mto.com
CHRISTOPHER CRUZ (State Bar No. 346128)
Christopher.Cruz@mto.com
MUNGER, TOLLES & OLSON LLP
560 Mission Street, Twenty-Seventh Floor
San Francisco, California 94105-2907
Telephone: (415) 512-4000
Facsimile: (415) 512-4077

*Attorneys for Defendant National
Collegiate Athletic Association*

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHANNON RAY, KHALA TAYLOR,
PETER ROBINSON, KATHERINE
SEBBANE, and RUDY BARAJAS,
individually and on behalf of
all those similarly situated,

Plaintiffs,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION, an unincorporated
association,

Defendants.

Case No. 1:23-cv-00425-WBS-CSK

**DEFENDANT NCAA'S NOTICE OF
FILING REDACTED OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION AND SUPPORTING
DOCUMENTS**

Judge: Hon. William B. Shubb
Courtroom: 5, 14th Floor
Date: March 3, 2025
Time: 1:30 PM

NOTICE OF FILING

TO PLAINTIFFS AND THEIR ATTORNEYS OF RECORD AND TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA:

PLEASE TAKE NOTICE that Defendant National Collegiate Athletic Association ("NCAA"), pursuant to Section VIII.A of the Stipulated Protective Order (ECF No. 56) and the Court's February 14, 2025 Order (ECF No. 109) granting in part and denying in part the parties' sealing requests (ECF Nos. 91, 93, 101), hereby files redacted, publicly available versions of the following documents:

- Defendant's Opposition to Plaintiffs' Motion for Class Certification
- Declaration of Megan McCreadie in Support of Defendant NCAA's Opposition to Plaintiffs' Motions for Class Certification ("McCreadie Declaration")
- Exhibit 1 to the McCreadie Declaration: Expert Report of Dr. Jee-Yeon Lehmann
- Declaration of Mario Morris in Support of Defendant NCAA's Opposition to Plaintiffs' Motions for Class Certification
- Exhibit B to Clayton Hamilton's Declaration in Support of Defendant NCAA's Opposition to Plaintiffs' Motions for Class Certification ("Hamilton Declaration")

Also pursuant to Section VIII.A of the Stipulated Protective Order (ECF No. 56) and the Court's February 14, 2025 Order (ECF No. 109), the NCAA files unredacted versions of the following documents:

- 1 • Exhibit 2 to the McCreadie Declaration: Excerpts from
- 2 Transcript of the December 9, 2024 Deposition of Dr.
- 3 Daniel Rascher
- 4 • Exhibit 6 to the McCreadie Declaration: Excerpts from
- 5 the Transcript of the December 5, 2024 Deposition of Dr.
- 6 Orley Ashenfelter
- 7 • Exhibit 9 to the McCreadie Declaration: Excerpts from
- 8 the Transcript of the October 17, 2024 Deposition of
- 9 Peter Robinson
- 10 • Exhibit 12 to the McCreadie Declaration: Excerpts from
- 11 the Transcript of the October 15, 2024 Deposition of
- 12 Shannon Ray
- 13 • Exhibit 15 to the McCreadie Declaration: Excerpts from
- 14 the Transcript of the October 28, 2024 Deposition of
- 15 Katherine Sebbane
- 16 • Exhibit 16 to the McCreadie Declaration: *Smart*
- 17 Plaintiffs' Amended Objections and Answers to the NCAA's
- 18 Second Set of Interrogatories (dated September 17, 2024)

19 Also pursuant to Section VIII.A of the Stipulated Protective
20 Order (ECF No. 56) and the Court's February 14, 2025 Order (ECF
21 No. 109), the NCAA will file the following documents under seal:

- 22 • Exhibit 7 to McCreadie Declaration
- 23 (COLON_SCHLS_00016398)
- 24 • Exhibit 19 to McCreadie Declaration
- 25 (COLON_CONFERENCE_0000208854)
- 26 • Exhibit 23 to McCreadie Declaration
- 27 (COLON_SCHLS_0000013529)

- 1 • Exhibit 24 to McCreadie Declaration
2 (COLON_SCHLS_0000001726)
- 3 • Exhibit 25 to McCreadie Declaration
4 (COLON_SCHLS_0000001818)
- 5 • Exhibit A to Hamilton Declaration (NCAA_ SC_ SUBPOENA_
6 0000033)
- 7 • Exhibit A to the Declaration of Ryan Varley in Support
8 of Defendant NCAA's Opposition to Plaintiffs' Motions
9 for Class Certification Declaration ("Varley
10 Declaration") (COLON_SCHLS_0000004635)
- 11 • Exhibit B to Varley Declaration (SMART_SCHLS_0000003561)
- 12 • Exhibit C to Varley Declaration (COLON_SCHLS_0000016799)
- 13 • Exhibit A to the Declaration of Christina Wombacher in
14 Support of Defendant NCAA's Opposition to Plaintiffs'
15 Motions for Class Certification Declaration ("Wombacher
16 Declaration") (COLON_SCHLS_0000011616)
- 17 • Exhibit B to Wombacher Declaration
18 (COLON_SCHLS_0000011405)
- 19 • Exhibit C to Wombacher Declaration
20 (SMART_SCHLS_0000001876)

21
22 DATED: February 19, 2025

Respectfully submitted,

23
24 By: /s/ Carolyn Hoecker Luedtke
25 Carolyn Hoecker Luedtke

26 *Attorneys for Defendant National*
27 *Collegiate Athletic Association*
28